

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

IVONNE GUERRERO, et al.,
Plaintiffs,
v.
COUNTY OF SAN BENITO, et al.,
Defendants.

Case No.: C 08-0307 PVT

**ORDER GRANTING MOTION TO APPROVE
SETTLEMENT AND MINORS'
COMPROMISE; AND**

**ORDER TO DEPOSIT MONEY INTO
BLOCKED ACCOUNTS**

On April 21, 2010, Plaintiffs filed a Motion to Approve Settlement and Minors' Compromise. On April 22, 2010, the court issued an Interim Order directing Plaintiffs to file a supplemental brief that, among other things, proposed an appropriate disposition of each minor's share of the settlement proceeds pursuant to California Probate Code section 3611(a), (b) or (g). Plaintiffs have now submitted their supplemental brief, in which they indicate they elect to use a "blocked" account in a financial institution in this state. *See* Cal.Prob.Code § 3611(b). Based on the moving and supplemental papers and the file herein,

IT IS HEREBY ORDERED that Plaintiffs' motion to approve settlement and minors' compromise is GRANTED on the terms set forth herein,

IT IS FURTHER ORDERED that the net settlement proceeds that belong to Plaintiff J.I.G., a minor, shall be promptly deposited in an interest-bearing, federally insured blocked account in a

1 financial institution in this state. The account shall indicate the full name of said minor Plaintiff.
2 The total amount authorized for deposit is: \$25,000. No withdrawals of principal or interest shall be
3 made from the blocked account without a written order under this case name and number, signed by
4 a judge, and bearing the seal of this court, until the minor attains the age of 18 years. When the
5 minor attains the age of 18 years, the depository, without further order of this court, is authorized and
6 directed to pay by check or draft directly to the former minor, upon proper demand, all moneys
7 deposited under this order, including such interest that has accrued thereon. The money on deposit is
8 not subject to escheat.

9 IT IS FURTHER ORDERED that the net settlement proceeds that belong to Plaintiff L.G., a
10 minor, shall be promptly deposited in an interest-bearing, federally insured blocked account in a
11 financial institution in this state. The account shall indicate the full name of said minor Plaintiff.
12 The total amount authorized for deposit is: \$25,000. No withdrawals of principal or interest shall be
13 made from the blocked account without a written order under this case name and number, signed by
14 a judge, and bearing the seal of this court, until the minor attains the age of 18 years. When the
15 minor attains the age of 18 years, the depository, without further order of this court, is authorized and
16 directed to pay by check or draft directly to the former minor, upon proper demand, all moneys
17 deposited under this order, including such interest that has accrued thereon. The money on deposit is
18 not subject to escheat.

19 IT IS FURTHER ORDERED that the net settlement proceeds that belong to Plaintiff I.M.G.,
20 a minor, shall be promptly deposited in an interest-bearing, federally insured blocked account in a
21 financial institution in this state. The account shall indicate the full name of said minor Plaintiff.
22 The total amount authorized for deposit is: \$25,000. No withdrawals of principal or interest shall be
23 made from the blocked account without a written order under this case name and number, signed by
24 a judge, and bearing the seal of this court, until the minor attains the age of 18 years. When the
25 minor attains the age of 18 years, the depository, without further order of this court, is authorized and
26 directed to pay by check or draft directly to the former minor, upon proper demand, all moneys
27 deposited under this order, including such interest that has accrued thereon. The money on deposit is
28 not subject to escheat.

1 IT IS FURTHER ORDERED that, along with the deposits made pursuant to this order, a
2 copy of this order shall be provided to each depository in which funds are deposited. Within 15 days
3 after deposit of the funds, Plaintiffs' counsel shall file each depository's signed acknowledgment of
4 receipt of both this order and the funds. A form of acknowledgment of receipt is attached hereto for
5 that purpose.

6 IT IS FURTHER ORDERED that the disposition of the remaining settlement funds is left up
7 to Plaintiff Ivonne Guerrero and Plaintiffs' counsel, pursuant to their prior agreements and
8 stipulations.

9 Dated: 5/12/10

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11 PATRICIA V. TRUMBULL
12 United States Magistrate Judge
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**RECEIPT AND ACKNOWLEDGMENT
OF ORDER FOR THE DEPOSIT OF
MONEY INTO BLOCKED ACCOUNT**

1. I acknowledge receipt of the Order to Deposit Money Into Blocked Account signed by Magistrate Judge Patricia V. Trumbull, a copy of which is attached hereto.

2. The account described below in which funds have been deposited under the court's order is a federally insured, blocked account.

3. Name and title on the account:
Account number:
Date account opened:
Amount of initial deposit: \$
Present balance: \$
Name of financial institution:
Branch:
Address:

I certify that I am authorized to execute this receipt and acknowledgment, and that no withdrawal of principal or interest from this account will be permitted without a signed court order

1 under this case name and number, bearing the seal of this court, or the date on which the minor
2 named on the account reaches the age of 18 years, whichever occurs first.

3 Date:

4 _____
(TYPE OR PRINT NAME)

5  _____
(AUTHORIZED SIGNATURE)

6 Title: _____
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